



The Gazette of India

EXTRAORDINARY

PART II—Section 2

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LOK SABHA

The following Bills were introduced in Lok Sabha on 9th March, 1956:—

BILL NO. 6 OF 1956

A Bill to provide for peoples' participation in the national development programmes.

Be it enacted by Parliament in the Seventh Year of the Republic of India as follows:—

1. (1) This Act may be called the National Development (Peoples' Participation) Act, 1956. Short title and commencement.

(2) It shall come into force on the first day of April 1956.

2. In this Act, unless the context otherwise requires,—

Definition.

(a) "Development Work" means work that may be done by a citizen in any part of India and which is approved by the Planning Commission, or any other body, committee or Panchayat under the National Development programme.

(b) "Citizen" means any able bodied person who has attained the age of 18 years.

(c) "Development Fund" means a fund constituted under this Act for the purposes of carrying out various development activities.

(d) "Register of citizens" means a book of record in which the names of all citizens are entered and record of work and compensation kept.

Minimum work.

3. Every citizen of India shall be required to set apart at least twelve days in a year or one day in every month for doing development work. The work may be done either at a stretch or piecemeal.

Compensa-
tion in lieu
of work.

4. A person who is unable to work or cannot work under the provisions of this Act, shall be required to pay compensation at the rate of Rupees two and annas eight only per day.

Development
Fund.

5. A Development Fund shall be constituted consisting of all proceeds from compensation, penalty, voluntary contributions, gifts, grants etc. from various sources. The development fund shall be operated by the agencies of the Planning Commission.

Preparation
of plan.

6. The Planning Commission, in consultation with the people of each area, shall prepare a plan for development activities in such a manner that nobody will normally be required to walk more than three miles from the place of his residence for attending to his work under this Act.

Register of
citizens.

7. The Planning Commission, through its agencies, shall prepare and keep a register of citizens for keeping record of work and compensation etc.

Offence
under the
Act.

8. A person who does not work and fails to pay compensation as required under section 4, shall be deemed to have committed an offence under this Act.

Penalty.

9. An offence committed under this Act shall be punishable with a penalty of Rupees five only, in addition to the compensation that may be due by the person who commits the offence.

Punishment.

10. Evasion of payment of penalty or compensation shall be deemed as evasion of payment of tax, and punishment provided by law for the evasion of payment of a tax shall apply in this case also.

Administra-
tion and
decision of
cases under
the Act.

11. For the purposes of administration and decision of cases arising out of this Act, tehsildars, naib tehsildars or officers equivalent to these ranks, or any other officer who may be appointed in this behalf by the Collector and District Magistrate of a district shall have the power to try and decide cases. The Collector and District Magistrate shall also hear appeals arising out of this Act.

Exemption.

12. An officer in charge of administration and legal proceedings under this Act, shall have discretionary powers to exempt any person from the operation of this Act for reasons of extreme old age or infirmity or any other reason deserving consideration.

Certificate
for develop-
ment work.

13. Any person below the age of eighteen years who gets himself registered for work and does development work shall be awarded a certificate of Development Service. For award of scholarships in

educational institutions, admission to Government or quasi-Government services at the Centre or in the States and the like, the certificate of Development Service shall be considered a qualification.

14. Implements for work and other materials required for the purposes of this Act shall be provided by the planning authorities. Implements
for work and
other mate-
rials.

STATEMENT OF OBJECTS AND REASONS

National development and reconstruction, through which our country is passing, imposes a duty upon every citizen of India to contribute to this great objective. To live as a modern free nation of the world of today, we must strive to raise the standard of living, bring about industrial progress to such level as is required to achieve self-sufficiency, and to provide the basic necessities of transport, communications, housing etc. The cooperative effort of all the people of our land is required, particularly when the task is stupendous and resources meagre. To create an atmosphere of voluntary work and to get people work-minded, it is necessary that there should be some measure to make all this possible. This Bill is an attempt in that direction.

NEW DELHI;

M. L. DWIVEDI.

The 16th January, 1956.

BILL No. 11 of 1956

A Bill to introduce a uniform system of national and festival paid holidays for all industrial workers.

BE it enacted by Parliament in the Seventh Year of the Republic of India as follows:—

1. This Act may be called the National and Festival Paid Holidays Short title.
Act, 19

2. In this Act,—

(i) “Adjusted holidays” means five holidays in a calendar year which the appropriate Government shall declare as such to suit sectional, regional or local festivals as the case may be. Definitions.

Explanation.—Adjusted holidays with regard to Central undertakings situate in States shall be the holidays declared as such by the respective State Governments.

(ii) "Appropriate Government" means in relation to national and festival holidays given in the schedule, both the Central and the State Governments.

(iii) "Declared holidays" means ten paid national and festival holidays specified in the schedule to be observed throughout India on the dates notified by the Central Government.

(iv) "Industry" shall have the meaning assigned to it in the Industrial Disputes Act, 1947.

XIV of 1947.

(v) "Notified in the prescribed manner" means issue of notification in the Official Gazette not less than three months before the commencement of each year.

Provision for paid holidays. 3. Every worker or employee in any industry shall be allowed during each calendar year he is in service, not less than fifteen national and festival paid-holidays.

Notification of declared and adjusted holidays. 4. The appropriate Government shall notify in the prescribed manner the dates of the declared holidays and the names and dates of adjusted holidays.

Saving. 5. The provisions of this Act shall not adversely affect any worker or employee who enjoys by convention, agreement, awards or any other reason, more than fifteen paid national and festival holidays provided in this Act.

THE SCHEDULE

[Vide Section 2(ii) and (iii)]

List of declared holidays

New Year's Day.

Republic Day.

Maha Sheoratri.

May Day.

Id-ul-fittar.

Independence Day.

Moharram.

Gandhi Jayanti.

Diwalli.

Christmas Day.

STATEMENT OF OBJECTS AND REASONS

The number of paid national and festival holidays in industrial undertakings at present varies from State to State, industry to industry and even from establishment to establishment. The existing practice in the absence of any legislation shows a marked variation in the matter of paid holidays. In some cases no paid national and festival holidays are granted at all. In others these are adjusted against other holidays. Among the establishments that allow paid holidays the range of variation is from 2 to 27. For healthy industrial relations it is necessary to fix some reasonable and uniform standard. At present the question of paid festival and national holidays also gives rise to industrial disputes.

The Bill seeks to remedy this by fixing a minimum limit of 15 paid national and festival holidays in a calendar year. The Bill also seeks to provide paid holidays for important national and festival days of an all-India character uniformly throughout India by specifying ten such days. Since in our country there are many important festival days of sectional, regional or local interests the State Governments have been empowered to specify such days.

The Bill also specifies that workers who enjoy paid national and festival holidays more than the above minimum limit of 15 days by conventions, agreements, awards, etc., shall not be adversely affected by this.

K. ANANDA NAMBIAR.

NEW DELHI;

The 1st February, 1956.

M. N. KAUL,

Secretary.

